

III. REMARKS

Claim Amendments

Claims 3, 5, 6, 8-13, 17 and 18 are pending.

Claim 6 was amended to delete the phrase “, preferably methyl.”

Claim 11 was amended to include a closing parenthesis in the compound name “8'-fluoro-5'-(2-([1-(1H-pyrazol-3-ylmethyl)azetidin-3-yl]oxy))2-1'H-sprio[cyclohexane-1,4'-quinazolin]-2'-(3'H)-one.

Claim 18 was amended to delete the phrase “,preferably 1,”

Objections to the Claims

The Office objected to claim 18 because the term “preferably” allegedly raises uncertainty in the intended substituent. To facilitate prosecution, Claims 6 and 18 have been amended to remove the phrase “preferably.” Therefore, Applicants request that the objection be withdrawn.

Claim Rejections

Obviousness-type Double Patenting

I. Claims 3, 5, 6, 8-13, 17 and 18 were rejected on the ground of nonstatutory obviousness-type double patenting over allowed claims 1-6, 8-15, 17 and 19 of co-pending Application No. 10/852,404.

Applicants submit herewith a terminal disclaimer. Therefore, Applicants request that the rejection be withdrawn.

Request for Continued Examination

The last official action in the present case was made final. Accordingly, applicants have filed a Request for Continued Examination (RCE).

Conclusion

In view of the foregoing amendments, it is respectfully submitted that all claims now active in the present application are in condition for allowance. Therefore, passage of the application and claims to issue is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Philip B. Polster II", is written over the typed name.

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